

**REMARKS/ARGUMENTS**

Claims 1-34 were previously pending in the present application. The Examiner has rejected claims 1-34. Applicant herein amends claims 1, 11 and 21, and submits new claim 35. Claims 30-34 are canceled without prejudice; Applicant reserves the right to pursue claims 30-34, e.g., in a subsequent application. Consideration of presently pending claims 1-29 and 35 is respectfully requested.

I. **Rejection of Claims 1-10 Based on 35 U.S.C. § 102**

The Examiner has rejected claims 1-10 USC 102(e) as being anticipated by Sudia (Pub No. 2001/0050990). Applicant respectfully disagrees. Sudia does not anticipate, teach or describe claims 1-10 for at least the following reasons.

Independent claim 1, as amended, recites steps associated with a user interface that are not taught by the prior art, including but not limited to the assertion of notifications via a user interface, and responding to a user input selecting a secured mode. Sudia fails to teach or suggest a user interface as claimed. Sudia discloses a complex scheme for implementing secure communications, but does not contemplate selectively applying security or methods or devices implementing a user selectable secured mode.

The embodiment of claim 1 also includes redirecting user communications through an encryption circuit in response to receipt of the receiver's public key.

As stated above, Sudia does not address the selectable use of secured and unsecured modes. Therefore, it is beyond the scope of Sudia to perform any redirecting of user communications through an encryption circuit in response to an event, as recited in claim 1.

For at least the foregoing reasons, Applicant respectfully submits that independent claim 1 is allowable over the cited art. Further, dependent claims 2-10, being dependent upon an allowable base claim, are also allowable for at least the foregoing reasons.

II. Rejection of Claims 11-34 Based on 35 U.S.C. § 103

The Examiner has rejected claims 11-34 under 35 U.S.C. § 103(a) as being unpatentable over Sudia (Pub No. 2001/0050990) in view of Schwed (US Patent No. 5,592,556). Applicant respectfully disagrees. Sudia, either alone or in combination with Schwed, does not teach or suggest the embodiments of the invention disclosed in claims 11-29 (claims 30-34 are canceled without prejudice) of the present application for at least the following reasons.

With respect to independent claim 11, as amended, neither Sudia nor Schwed teach or suggest a user interface configured to receive a user input to toggle between a clear channel and a secured channel. As previously stated, Sudia is focused on an implementation of a secured communication channel, and does not contemplate the use or implementation of a selectable secured mode.

Similarly, Sudia does not teach or suggest any means for toggling between a secure channel and an unsecured channel.

Schwed discloses a software controlled encryption codec chip. Schwed teaches the use of symmetric DES encryption, as opposed to the public/private key system of the claimed embodiment. Also, Schwed is directed to the underlying operation of the vocoder encryption chip from software commands/routines, and does not teach or suggest functional details at the level of a user interface.

For at least the foregoing reasons, Sudia and Schwed, either alone or in combination, fail to teach or suggest the embodiments disclosed in independent claims 11 and 21. Further, dependent claims 12-20 and 22-29, being dependent upon allowable base claims, are also allowable for at least the foregoing reasons provided with respect to claims 11 and 21.

### III. New Claim 35

Applicant respectfully submits new claim 35 for consideration. Applicant believes that claim 35 is fully supported by the specification, figures and claims originally filed, and that no new matter is hereby presented.

Applicant submits that the cited art does not teach or suggest the communication device of claim 35. For example, the cited art fails to teach or suggest the recited user interface, or the use of asymmetric encryption for communications. Sudia uses symmetric encryption (e.g., DES) for

communications, and uses public/private keys for verification (i.e., signatures).

Sudia teaches away from the present invention of claim 35 by stating that asymmetric encryption is infeasible for communications. Like Sudia, Schwed uses symmetric encryption. For at least the foregoing reasons, Applicant submits that claim 35 is allowable.

IV. Conclusion

Applicant believes that pending claims 1-29 and 35 are in condition for allowance. Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

THE HECKER LAW GROUP

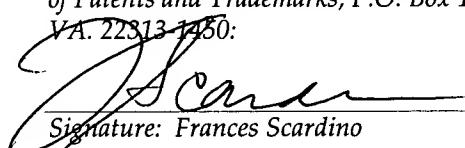
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By:   
Todd N. Snyder  
Reg. No. 41,320

THE HECKER LAW GROUP, PLC  
1925 Century Park East  
Suite 2300  
Los Angeles, California 90067  
(310) 286-0377 voice  
(310) 286-0488 fax

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